

U.S. Serial No.: 10/786,773
Response to Office Action dated 02/23/2005

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

Claim 1 (Original). An elastomeric weighted layer 1) comprising an elastomer and a quantity of weighted bodies, and 2) dimensioned to fit under or into conventional headwear, wherein said elastomeric weighted layer weighs between about 100 and about 3,000 grams.

Claim 2 (Original). The elastomeric weighted layer of claim 1, wherein said weighted bodies are selected from the groups consisting of iron shot, steel shot, and lead shot.

Claim 3 (Original). The elastomeric weighted layer of claim 1, wherein said elastomeric weighted layer weighs between about 500 and about 2,000 grams.

Claim 4 (Original). The elastomeric weighted layer of claim 3, wherein said elastomeric weighted layer has a thickness between about 5 and about 10 millimeters.

Claim 5 (Original). A skullcap having a shape conforming to the crown of the head of a human subject, comprising an elastomeric weighted layer comprised of an elastomer and a quantity of weighted bodies, and weighing between about 100 and about 3,000 grams.

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Claim 6 (Original). The skullcap of claim 5, wherein said elastomeric weighted layer is comprised of a polymeric elastomer, and interspersed therein a quantity of weighted bodies.

Claim 7 (Original). The skullcap of claim 6, additionally comprising a fabric liner adhered to the inside surface of said elastomeric weighted layer.

Claim 8 (Canceled)

Claim 9 (Withdrawn). The combined skullcap and hat or cap of claim 8, wherein the adaptation comprises a plurality of spaced sections of hook and loop fabric on the inside of said conventional-style hat or cap, positioned to reversibly adhere to opposingly positioned spaced sections of hook and loop fabric on the outside of said skullcap.

Claim 10 (Original). A weighted headwear comprising:

- a. an elastomeric weighted layer comprising an elastomer and a quantity of weighted bodies; and
 - b. a conventional hat or cap having a space within it, above a line of fit defined by a user's head, into which fits said elastomeric weighted layer;
- wherein when fit into said space, said elastomeric weighted layer is not visible from a normal field of view of said hat, and wherein said elastomeric weighted layer weighs between about 100 and about 3,000 grams.

Claim 11 (Withdrawn). The weighted headwear of claim 10, comprising a conventional hat wherein said space is defined by said line of fit, substantially vertical cylindrical walls of said hat, and a crown portion integral with the top margin of said cylindrical walls, and wherein said elastomeric weighted layer is adapted to conform to the substantially cylindrical shape of the interior of said substantially vertical cylindrical walls.

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Claim 12 (Original). The weighted headwear of claim 10, comprising a conventional cap wherein said elastomeric weighted layer is adapted to conform to said line of fit.

Claim 13 (Currently amended). A method of strengthening vertical load-bearing elements of vertebrae of a person in need thereof, said method comprising the steps of said person:

- a. positioning on said person's head a conventionally-shaped headwear comprising an added mass, wherein such added mass is within the space within said headwear so positioned, wherein the total mass of the structural aspects of the headwear and the added mass is between about 100 and about 3,000 grams; and
- b. walking for a period [[of at least/]] between 20 and 60 minutes with said [[hat]]headwear positioned on said person's head.

Claim 14 (Original). The method of claim 13, wherein said added mass is comprised of a skullcap-shaped elastomeric weighted layer comprised of an elastomer and a quantity of weighted bodies.

Claim 15 (Withdrawn). The method of claim 14 wherein said headwear is a conventional hat wherein said space is defined by the head of said person, substantially vertical cylindrical walls of said hat, and a crown portion integral with the top margin of said cylindrical walls, and wherein said added mass is comprised of a ribbon-shaped elastomeric weighted layer, longer than tall, adapted to conform to the substantially cylindrical shape of the interior of said substantially vertical cylindrical walls.

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Claim 16 (Original). The method of claim 13, wherein said conventionally-shaped headwear is selected from the group consisting of boater; bowler; bucket; cowboy hat; derby; fedora; floppy hat; hamburg; pillbox; Stetson-styled hat; trilby; baseball cap; beret; cloche; fez; newsboy cap; skullcap; and turban.

Claim 17 (Original) The method of claim 13, additionally comprising repeating steps a and b for a sufficient period to stabilize or increase the bone mineral density for said person.

Claim 18 (Original). The method of claim 17, wherein said repeating is conducted until a quantifiable increase in bone mass is obtained.

Claim 19 (Canceled).

Claim 20 (Canceled).

Claim 21 (New) A weighted hat or cap comprising:

- a. a skullcap, shaped to conform to the crown of the head of a human subject, comprising an elastomeric weighted layer comprised of an elastomer and a quantity of weighted bodies, and weighing between about 100 and about 3,000 grams; and
- b. a conventional-style hat or cap having an adaptation to receive as an inner component said skullcap.